

111TH CONGRESS
2D SESSION

S. 3970

To establish a program under which the Administrator of the Environmental Protection Agency shall provide grants to eligible State consortia to establish and carry out municipal sustainability certification programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2010

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a program under which the Administrator of the Environmental Protection Agency shall provide grants to eligible State consortia to establish and carry out municipal sustainability certification programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sustainable States Act
5 of 2010”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

(1) local government leadership is critical in crafting and implementing effective, long-term solutions to regionally distinct challenges, such as—

(A) energy demand and supply;

(B) water resource management;

(C) waste production and management;

(D) pollution;

(E) environmental stewardship and conservation; and

(F) economic competitiveness, growth, and development;

(2) State-specific municipal sustainability certification programs provide a framework for constructive competition among the municipalities of a State that accelerates the development and demonstration of effective local solutions to those challenges; and

(3) public-private partnerships are successful means of sustaining the operation of municipal sustainability certification programs, as evidenced by programs in the States of Maryland and New Jersey.

SEC. 3. DEFINITIONS.

In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) MUNICIPAL SUSTAINABILITY CERTIFI-
5 CATION PROGRAM.—The term “municipal sustain-
6 ability certification program” means a program es-
7 tablished and carried out by a sustainable State con-
8 sortium that—

9 (A) determines a set of State-specific
10 benchmarks for use in evaluating sustainability;
11 and

12 (B) certifies a municipality as sustainable
13 based on achievement of those benchmarks.

14 (3) SUSTAINABLE STATE CONSORTIUM.—The
15 term “sustainable State consortium” means a part-
16 nership consisting of local governments, a State, 1
17 or more public universities, and any other municipal
18 organizations, businesses, or nonprofit organizations
19 selected by the consortium that is formed to estab-
20 lish a municipal sustainability certification program.

21 **SEC. 4. GRANTS FOR MUNICIPAL SUSTAINABILITY CERTIFI-**
22 **CATION PROGRAMS.**

23 (a) ESTABLISHMENT.—

24 (1) IN GENERAL.—There is established a pro-
25 gram under which the Administrator shall provide

1 grants to sustainable State consortia for use in es-
2 tablishing and carrying out municipal sustainability
3 certification programs.

4 (2) FLEXIBLE GUIDELINES FOR AWARD SELEC-
5 TION.—The Administrator shall establish flexible
6 guidelines that reflect regional differences for use by
7 sustainable State consortia in establishing State-spe-
8 cific municipal sustainability certification programs.

9 (3) GRANTS.—

10 (A) IN GENERAL.—The Administrator
11 shall provide grants under this paragraph to
12 sustainable State consortia for use in estab-
13 lishing and carrying out municipal sustain-
14 ability certification programs.

15 (B) ELIGIBILITY.—Not more than 1 sus-
16 tainable State consortium per State may apply
17 for and receive a grant under this section.

18 (C) NUMBER AND TERM OF GRANTS.—The
19 Administrator shall determine the number and
20 term of grants provided under this section.

21 (D) GEOGRAPHICAL DISTRIBUTION OF
22 GRANT FUNDS.—The Administrator shall pro-
23 vide grants under this section in a manner that
24 results in, to the maximum extent practicable,

1 a geographical balance of funds provided, as de-
2 termined by the Administrator.

3 (4) DATA AND REPORTS.—The Administrator
4 shall annually—

5 (A) collect and compile data from sustain-
6 able State consortia with respect to municipal
7 actions undertaken to obtain municipal sustain-
8 ability certification; and

9 (B) submit to Congress a concise report
10 that describes, for the year covered by the re-
11 port, municipal actions undertaken to obtain
12 municipal sustainability certification.

13 (5) STATE AND LOCAL NEEDS.—The Adminis-
14 trator shall encourage sustainable State consortia—

15 (A) to establish certification standards be-
16 yond the guidelines established by the Adminis-
17 trator;

18 (B) to otherwise adapt the administration
19 of the program established under this section to
20 meet regional or local needs; and

21 (C) to plan for public-private partnership
22 agreements that will sustain the operation of
23 the certification program of a State beyond the
24 term of the grant.

25 (b) ADMINISTRATION.—

1 (1) NATIONAL LEADERS PROGRAM.—As part of
2 the program established under this section, the Ad-
3 ministrators shall establish a national leaders pro-
4 gram under which certified municipalities may seek
5 additional recognition for demonstrated performance
6 in meeting sustainability challenges.

7 (2) FEES.—The Administrator shall not charge
8 fees for certification, training, use of program tools,
9 or any other participation in the program estab-
10 lished under this section.

11 (3) WEB SITE.—The Administrator shall estab-
12 lish a Web site that allows for interactive dialogue
13 and collaboration among community leaders and citi-
14 zens engaged in municipal sustainability certifi-
15 cation.

16 (c) FUNDING.—

17 (1) AUTHORIZATION OF APPROPRIATIONS.—
18 There are authorized to be appropriated such sums
19 as are necessary to carry out this section.

20 (2) OTHER FUNDING.—A sustainable State
21 consortium or other entity that receives a grant
22 under this section may seek additional foundation,
23 nonprofit, private-sector, and other sources of fund-
24 ing to support additional program elements and mu-

- 1 nicipal incentives that are in addition to the min-
- 2 imum requirements for a grant under this section.

